

Serial No. 10/612,872
Amendment dated November 28, 2005
Amendment to Office Action dated July 27, 2005

REMARKS/ARGUMENTS

Claims 1, 2, 6, 8, 9, 14, 15, and 19 are pending in the application. Claims 1, 2, 6, 8, 9, 14, 15, and 19 are rejected under 35 U.S.C. §102(b) as being anticipated by Nakagome (JP 09214092A). In this amendment, claim 1, 6, 8 and 14 are amended and claims 9, 15 and 19 are cancelled without prejudice or disclaimer. Applicants acknowledge the Office Action's acceptance of the previously filed terminal disclaimer, filed on 12/13/04, overcoming the previous non-statutory double patenting rejection. *See* page 2, paragraph 1 of Office Action dated 7/27/05.

Applicants respectfully submit that the cited references do not teach, suggest or disclose at least "[a] circuit board comprising: ... an impedance component placed in said via and coupled to said first plane and said second plane *further comprising rolled carbon material having a first end and a second end*" (e.g., as described in claim 1).

The Office Action asserts that the resistor 28 disclosed by Nakagome et al. comprises rolled carbon material having first (upper, citing figure 12) end and second (lower, citing figure 12 again) end, a first conductive cap 23 coupled to the first end, and a second conductive cap 24 coupled to the second end, wherein the first conductive cap 23 is coupled to the first (top) plane, and the second conductive cap 24 is coupled to the second lower plane. Applicants respectfully disagree.

Applicants assert that the embodiment of claim 1 specifically recites that the impedance component comprises rolled carbon material. However, similar descriptions are not found in Nakagome reference. Paragraphs [0021] & [0022] of Nakagome describes the manner in which the element 28 is formed. As described in paragraph [0021], the method entails using a carbon

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paste 40 and *filling* the paste into hole 26a. Inherently, paste cannot be *rolled*. In paragraph [0022], the carbon paste is dried to form element 28. There is no mention of using rolled carbon to form the impedance component, as specifically recited in the embodiment of claim 1, anywhere in the Nakagome reference.

Therefore, since the Nakagome reference does not disclose at least an impedance component further comprising: *rolled* carbon material having a first end and a second end, it is inadequate to support a proper §102(b) rejection. Independent claims 1, 8, and 14 contain similar allowable limitations as well. Claims 2 and 6 are allowable for depending from allowable base claims.

It is believed that this Amendment places the application in condition for allowance, and early favorable consideration of this Amendment is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the telephone number listed below.

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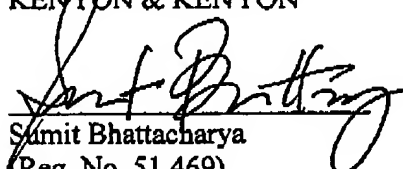
The Office is hereby authorized to charge any fees, or credit any overpayments, to

Deposit Account No. 11-0600.

Respectfully submitted,
KENYON & KENYON

Dated: November 28, 2005

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